

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

MICHAEL PEAGLER,)	
)	
Plaintiff,)	
)	
vs.)	7:05-cv-01914-LSC-JEO
)	
WARDEN CHERYL PRICE, et al.,)	
)	
Defendants.)	

ORDER

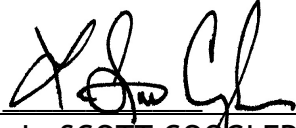
The magistrate judge filed a report and recommendation on February 24, 2006, recommending that all of the plaintiff's claims against all the defendants be dismissed. The plaintiff filed objections to the report and recommendation on March 29, 2006.

In his objections, the plaintiff restates his claim that Officers Domec and Rawlinson opened and destroyed his outgoing mail and provides additional facts. Because of the additional information provided by the plaintiff, this claim will not be dismissed at the time and the defendants will be directed to respond to the plaintiff's claim with a special report.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED** on all claims and against all the defendants except the claim that his outgoing mail was destroyed against Katrina Rawlinson and Teresa Domec. Accordingly, defendants Warden Cheryl Price, Sergeant Jesse Johnson, Lt. Evans, Sgt. Hunt, Capt. Deborah Toney, and the United States Attorney, and all claims against them are hereby **DISMISSED** pursuant to 28 U.S.C. § 1915A(b).

It is further **ORDERED** that the claim that a piece of the plaintiff's outgoing mail was destroyed against Katrina Rawlinson and Teresa Domec is **REFERRED** to the magistrate judge for further proceedings.

Done this 21st day of April 2006.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
124153